

1. National Gratitude: The brightest jewel in a nation's diadem.
2. The Heroes of the Revolution: Living or dead, their glory is imperishable.
6. Our Army: Composed of freemen appreciating their rights and capable of vindicating them.
7. Our Sister States: May they severally remember the sage admonition of Washington, that in union consists the strength and durability of the national edifice.
9. The State in Schuylkill: Its sportive citizens may be proud of their ancestry, and should prove themselves worthy descendants.
10. Our Country: The prized home of the native, the welcome retreat of the oppressed.
11. France: Our magnanimous ally, the country of Lafayette.
13. The Lovely of the Land: It would be *unfair* to forget or neglect them.

Among the volunteer toasts was the following by General Lafayette: "*The whole population* of the State in Schuylkill and the affectionate allegiance of a newly adopted fellow-citizen."

Letters of regret from absent members and distinguished Americans are carefully preserved among the ancient minutes before mentioned. They are slightly yellowed with time, but otherwise in good condition. One from Richard Rush, who had just returned from his eight years' diplomatic mission to England to accept from President Adams the Secretaryship of the Treasury, we present in fac-simile to our readers. It was Richard Rush who, in 1836, was appointed by President Jackson as commissioner to obtain the Smithsonian legacy, then in the English Court of Chancery; and in 1838 returned with the entire amount, \$515,169.

Lafayette visited ex-President Monroe at his residence in Virginia before returning to France, accompanied by President Adams, and together they visited Leesburg, in Virginia. He sailed from Washington in the early part of September.

Martha J Lamb

STEPHEN A. DOUGLAS AND THE FREE SOILERS

The Federal Convention, for some reason not apparent in the debates, had distinctly refused to give to the proposed government the power "to institute temporary governments in the territories ;" and, if public opinion can be collected from the utterances in the conventions called to ratify or reject the Constitution, the authority of the federal government over the territories was understood to be the same as over a condemned musket, and no more. The common sense of the Union found no difficulty in dealing with the subject, nine states having been admitted between 1792 and 1820—five free, four slave. So long as slavery was regarded as it had been regarded at the adoption of the Constitution, not a federal subject, but of exclusive state cognizance, with which other states had no more to do than with the internal policy of France, the character of a new state was unimportant. But when the opposition to the admission of Missouri disclosed a deep-seated and wide-spread resolve to make slavery a subject of federal politics, the slave states saw that they must seek allies for defense from the source whence others sought allies for attack. The controversy which threatened the peace of the Union was terminated by a compromise. North of $36^{\circ} 30'$ slave states could not be formed; south of it they might be. The line was a line of honor, without warrant from the Constitution; indeed, in contravention of its prohibition of compacts between states, and of its method by amendment of procuring future additions to or restrictions of the federal powers. The bargain was kept until 1850, the line having been, as of course, run through Texas. When California applied for admission, in 1850, the line was refused by the free states. That refusal, to the southern mind certainly, to the Democratic party apparently, abrogated the Missouri Compromise. A new compromise was made. California was admitted without the line, and the people of any organized territory might, in the future, determine for itself whether it would form a free or slave state; and, slave or free, the state should be admitted into the Union. The power of a territorial legislature extended to all rightful subjects of legislation consistent with the Constitution. Both parties, the Whig and the Democratic, concurred heartily in the compromise, and nine-tenths of the citizens of the Union recalled and acknowledged the principle of life of American liberty and of the Union, that no

citizen has a right to think for another, except upon agreed subjects of thought.

The condition of things at that time was this—Indian settlements secured by treaties commenced on the northern border of Texas and continued westward to the Nebraska River. To make new treaties and remove the Indians, that land might be opened to migration and settlement, a two-thirds vote in the Senate was necessary. The southern states were willing that the land should be opened to settlement if the late compromise was intended to, and did, supersede the former. Such was their understanding of it, but if such was not the understanding of their sister states, it was better that the land should be closed to settlement than that a new cause of discord should arise. In 1852-'53 a large body of emigrants, from 15,000 to 20,000, resolved to force a settlement of the Indian territory. The federal government prepared to resist the attempt with its troops. The possibility, with the probability, of an armed conflict made agreement easy, and, all obstacles removed, the Kansas-Nebraska bill, with the Missouri Compromise directly repealed, organized those territories. The object of Mr. Douglas for ten years was attained. So far the southern men did not owe him anything, nor he them. The Missouri Compromise, if existent, was valueless without territory to act on, and there could be no territory within its sphere without the consent of the southern senators, who offered that consent for equality. A lack of fair dealing upon that compromise, on the part of either the free or the slave states, must be judged by history. Impartial judgment is not yet possible. The southern claim of legal rights must be stated to explain the alienation between Mr. Douglas and his former friends. That claim asserted territory to be equally the territory of Massachusetts and South Carolina, as of every other state; that in it a man could go from any state, taking with him what was property in any state, and the Constitution protected it as well in the territory as in the state; that a territorial legislature could not divest a title to property which was recognized by the Constitution; that when the Union, by admission into it, recognized a certain area as a state, and its inhabitants as a people, sovereignty accrued; that the intentions expressed in the Constitution submitted became institutions, and that the only power in the United States over slavery, except the amendment power, was that of a state. To this claim Mr. Douglas refused assent, but recognized an arbiter in the judiciary. After the Dred Scott decision, still maintaining the same view, his southern friends said: "You do not keep faith, and your doctrine of non-intervention means really non-intervention of the Constitution between us and attack." They rejected the leadership before justly

due, and accorded to his enormous energy and ability. The mutual exasperation was intensified by his course upon the Kansas muddle. All the troubles in the territory grew (if he be credited) out of an armed emigration, engineered by the emigration aid societies. There would have been none if emigration had been left to its natural course. A counter armed immigration followed. Either from superior numbers or fortunate circumstances it almost in whole elected the first territorial legislature, against which no complaints of fraud or violence could be made, as, in every case where such had been proved, the governor had ordered new elections, of which complaint was not made. That legislature was convened to meet at a town the governor (Reeder) and others had laid out, through the connivance of the commanding officer, upon the military reservation at Fort Riley. For their agency in the land speculation, the soldier was subsequently cashiered and the governor removed. The legislature met there, but finding cholera and no houses, passed an act changing the seat of government to Shawnee Mission, where there were houses and no cholera. The governor vetoed it; the legislature passed it over his veto and adjourned to Shawnee Mission. There it enacted a code, and as the governor refused his signature, passed it again as over a veto. The Free Soil men set up a government of their own. Two governments, each completely organized, with an exclusive constituency, claimed right, and each sent a delegate to Congress to represent the territory. Congress recognized the territorial legislature by admitting its delegate, and Mr. Douglas styled the other governmental organization a nullity, and the action which framed it insurrectionary.

In the winter of 1856-'57 the territorial legislature passed an act for the election of delegates to a constitutional convention. A registry of legal voters was directed in each county, the governor, upon the registry, to apportion the delegates in proportion to the number of legal voters shown. From fifteen counties no registry came. Governor Walker issued an appeal to the public to vote in those counties where a registry had been made, and promised that all should vote upon the acceptance or rejection of the Constitution—a promise which, as Mr. Douglas had already suggested to him, neither he nor any other person had authority to make; the members of a convention, for anything it does or refrains from doing, being only responsible to their constituents. The Free Soilers refusing to vote, the convention was pro-slavery and the constitution also, but the convention submitted to suffrage "the constitution, with or without slavery." Again the Free Soilers refused to vote, and the constitution in its entirety was ratified by ten to one. The President recommended the admission of Kansas with it. As a citizen and the Executive of the Union, he saw the

advantage of extinguishing a firebrand ; as a party man he was anxious to terminate schism. The admission would relieve the pride of all from tension. The Free Soilers, then largely the majority in Kansas, could mold its institutions ; it would become a free state by natural effects. One section of the Union would gain its object, and the other would not feel the insult of injustice. Mr. Douglas opposed the admission, on the ground that the constitution was not the act and deed of the people of Kansas, though one of the simplest elementary rules of politics is, that he who can vote and will not, accepts as his own the vote of the man who will. Knowing the Republican party to be anxious to keep the Kansas sore open, that the body politic might be irritable, and the Democratic party to have it healed, he did what he could to keep the sore running, and served the party he professed to antagonize, more than any of its leaders. Did Mr. Douglas feel remorse or an injustice when, in the dark winter of 1860-'61, he heard, in the Senate, " For this you are responsible." Still, such was the yearning for harmony in the party, that Mr. Douglas would have been nominated at Charleston had not he and his friends insisted upon the acceptance of his revision of the constitution ; his past not merely to be endured, but indorsed. The party leaders who have assumed dictatorship have wrecked their own hopes and shattered their party. Mr. Clay gave the great and triumphant Whig party a death-wound. Mr. Van Buren threw away old friends and an unanimous nomination by his Texas letter. He split off a fragment of his party sufficiently large to elect General Taylor. Mr. Douglas wrought upon it wider havoc.

A. W. Blason

AARON BURR: A STUDY

II

Under the present system, the considerations which induce a nomination for Vice-President are usually without view to a subsequent candidacy for the superior office. Originally it was otherwise. Under the electoral system then in force, the Vice-President had *ipso facto* a claim to promotion. Burr was no exception; he looked forward, and with confidence, to the Presidency. He was admired and esteemed by the mass of his party. Its ascendancy was due to him, and the fact was recognized on every hand. His course through the "tie" contest was hailed as disinterested, and applauded. Wherever he went he was dined with honor, and toasted as a patriot.

But his apparent prospects were deceptive. Politics, Republican and Federal, North and South, were soon conspiring to his overthrow. Jefferson was secretly jealous of his sudden and unexpected rival. Moreover, the plans of the Virginia statesmen were jeopardized. Both Madison and Monroe were in expectant line of promotion. At home, the elements of opposition were even more bodeful and potent, because immediate and direct. The Livingstons and the Clintons were as strong and as interested as any of their southern brethren in their hostility to Burr. They viewed him as an upstart and an interloper. His rapid advancement was humiliating to their hereditary power, and, burying their differences, they now joined hands to do away with him and his "flying squadrons."

The work forthwith began. State and national patronage combined in the enterprise. One Livingston was made mayor of New York city; another, ambassador to France; another, supreme court judge. As for the Clintons, one was governor; another, United States senator; and numerous others absorbed the greater share of the minor state offices. Burr and his adherents were ignored. He and his friends even lost their seats as directors of the Manhattan Bank.

Cheetham soon appeared on the scene, and was put in charge of the *American Citizen*, the organ of De Witt Clinton, where he was neither slow nor uncertain in doing the will of his principal. Pursuant to Clinton's instructions, he directed his talents against Burr. The columns of his paper were laden at every issue with vituperation and slander. Wherever Cheetham unearthed a questionable act, he exaggerated and distorted.